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EXAMINER

NGUYEN, HANH N

ART UNIT

PAPER NUMBER

2662

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/227,688

Applicant(s)

Fenner

Examiner

Hanh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 19-28 and 32-40 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-28 and 32-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 24, 27, 32, 35 and 38 are rejected under 35 USC 103(a) as being unpatentable over **Gough** (US Pat. No. 3,678,391) in view of **Andros et al.** (US Pat. No. 4,866,431).

In claims 19, 24, 27, 32, 35 and 38, **Gough** discloses a mobile communication between mobile units 3 in police patrol cars moving in a city and a dispatcher's equipment 5 which represents a base station. Each mobile unit 3 has an ID to identify itself and stored in a memory of digital computer 9 of dispatcher 5. The officer with his mobile is identified, for example, by a code of B1W5 appears in display 33 of Fig.4 which identifies location and identity of the officer (moving mobile unit with its fixed logical destination code). During the operation of mobile unit, an officer, having a mobile unit, goes on duty, transmits messages which include inservice message, off-duty message, officer-need-help message, desire voice transmission message, send backup unit, stop a parking car on a side of a freeway etc. to dispatcher 5. Each message has an associated code to let the dispatcher know the status, requests of the officer. The dispatcher

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acknowledges the transmitted messages from the mobile unit 3 by replying messages with associated codes (handling node routes packets to the mobile receiver based on the destination code). See Abstract, col.2, tables 1, 2, col.12, lines 5-65. **Gough** does not disclose a plurality of networks interconnected by handling nodes for routing data packets between the mobile receiver and one of the handling nodes. **Andros et al.** discloses, in Fig.1, a packet paging between pagers 18 via local switches 12, lata switches 14 and hub switches 16. This communication could be performed within a country or between countries. In Fig.11, pager 18 with its ID code stored in field 66 of Fig.3 sends packets of pages to its nearest local switch 12. The local switch 12 determines destination receiver ID code to which the packets of pages is forwarded. The packets of pages are switched between switches 12, lata switches 14 and hub switches 16 to appropriate destination (a plurality of networks interconnected by handling nodes for routing data packets between the mobile receiver and one of the handling nodes). See Abstract, Fig.11, col.41, line 20 to col.42, line 20. Therefore, it would be obvious to use packet switching network of **Andros et al.** into the mobile communication network of **Gough** in order to identify the moving mobile during its moving between different networks.

In claims 21, 22, 25, 33, 36 and 40, the limitations of these claims have been addressed in claim 19.

In claims 20 and 39, **Gough** discloses, in Fig.4, a display 33. The identities of mobile units and patrol cars are specified in the columns and rows. The dispatcher uses the display 33 to

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transmit and receive messages from mobile unit (a node contains a table lookup). See col.12, lines 5-30.

In claim 23, 26, 28, 34 and 37, **Gough** does not disclose the logical destination code of mobile unit is IP addresses. It would be obvious in the art to have an IP network and assign IP addresses to mobile units as logical destination code to identify the mobile units and route packet data between switches.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 19-28 and 32-40 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yotsutani et al. (US Pat. No. 4,843,622) discloses Communication Control System Capable of Searching a Called Telephone Set in a Mobile Radio telephone Network.

Laprie et al. (US Pat. No. 4,276,643) discloses Method and Means for Routing Binary Messages Through a Multinode Data-Transmission System.

Lyons et al. (US Pat. No. 4,953,162) discloses Multipath Local Area Network.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is (703) 306-5445. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:30 PM.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (703) 305-4744. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

April 25, 2002



Hanh Nguyen



Ajit Patel  
Primary Examiner